

TERM OF COMMISSION: January Session of the January Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Commission Chambers

PRESENT WERE: Presiding Commissioner Ken Pearson
District I Commissioner Karen M. Miller
District II Commissioner Skip Elkin
Deputy County Clerk Josh Norberg
Director, Planning and Zoning Stan Shawver
County Counselor John Patton

The meeting was called to order at 7:00 p.m.

Planning and Zoning

1. Request by Martha Straub Trust to rezone 1.16 acres from A-1 (Agriculture) to R-SP (Planned Single Family Residential); .99 acres from R-SP (Planned Single Family Residential) to A-1 (Agriculture); and approve a revised Review Plan for Martha's Grove Planned Development, located at 4975 E. Bonne Femme Church Rd., Columbia.

Mr. Shawver stated this property is located one mile south of the Columbia municipal limits. The site is situated on the north side of Bonne Femme Church Road approximately 3000 feet southwest of the intersection of Highway 63 South and Bonne Femme Church Road. The site is immediately west of Bonne Femme Mobile Home Park. The site of the proposal comprises 20-acres of a 64.85-acre parent parcel. The property is currently a mixture of zonings. The basic concepts of the current proposal are exactly the same as represented at the public hearings when the development was originally approved in 2002. However, several existing structures that were intended to remain outside of the planned development were not located or shown on the graphics. It turns out that these structures fall inside the area that was rezoned making the existing approved plan inherently flawed and requiring a corrective action such as you have here. By rezoning 1.16 acres from A-1 (Agriculture) to R-SP (Planned Single Family Residential); .99 acres from R-SP (Planned Single Family Residential) to A-1 (Agriculture); and with approval of a revised Review Plan the development will reflect the substantive portion of what was actually intended by the original 2002 review plan and 2005 final development plan. The revised plan will have 40 dwelling units in 20 structures on 20 acres with common area surrounding in the PRD and the farm house and its associated buildings will be outside of the PRD boundaries. A replat will be required to make property boundaries match the new plan. The proposed structures are still single family attached units which externally resemble a duplex but have to be built to a higher standard under the building code. The development still provides a private drive for internal circulation which will be treated similarly to an apartment complex parking lot. The vehicular circulation as proposed can not be made into public roads. There is some 100-year Floodplain on the property near the proposed entry drive and the property is in the watershed of environmentally sensitive streams. The *master plan* designates this area as being suitable for residential land uses. Both the existing and proposed zonings are consistent with the *master plan*. This site has 56 points on the point rating system. Staff notified 24 property owners about this request.

Staff recommends approval of the Rezoning Request, and Review Plan, subject to the following conditions and noting that the original conditions of approval still apply:

1. That the development not be gated. The private drive/vehicular circulation system within the development is not allowed to have access limiting equipment or fixtures installed.
2. That it is recognized that the private drive/vehicular circulation system within the development can not become public roads and will not be accepted by the county for maintenance.
3. That waterline upgrades and hydrants be installed, along with all needed easements required and that these improvements be acceptable to the Consolidated Water District #1, Director of Planning, and Boone County Fire District.
4. That the road improvements required by the development be worked out with Boone County Public Works and be acceptable to both the Public Works and Planning Directors.
5. That the location, spacing from structures, and other considerations with regards to the centralized propane tanks and suitability of the emergency access drives be acceptable to the Boone County Fire District and the Director of Planning. The locations of the central tanks and applicable notes and notations can be amended on a permanent final review plan without the need to resubmit the proposal provided Fire Marshall and the Director of Planning agree to the clarifications and all notes and comments from the planning department are followed on the revision and are acceptable to the Director of Planning.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby **approve** the request by the Martha Straub Trust to rezone 1.16 acres from A-1 (Agriculture) to R-SP (Planned Single Family Residential); .99 acres from R-SP (Planned Single Family Residential) to A-1 (Agriculture) located at 4975 E. Bonne Femme Church Rd., Columbia.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 13-2008**

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby **approve** the request by the Martha Straub Trust for a revised Review Plan for Martha's Grove Planned Development, located at 4975 E. Bonne Femme Church Rd., Columbia, with the following conditions:

1. That the development not be gated. The private drive/vehicular circulation system within the development is not allowed to have access limiting equipment or fixtures installed.
2. That it is recognized that the private drive/vehicular circulation system within the development can not become public roads and will not be accepted by the county for maintenance.
3. That waterline upgrades and hydrants be installed, along with all needed easements required and that these improvements be acceptable to the Consolidated Water District #1, Director of Planning, and Boone County Fire District.

4. That the road improvements required by the development be worked out with Boone County Public Works and be acceptable to both the Public Works and Planning Directors.
5. That the location, spacing from structures, and other considerations with regards to the centralized propane tanks and suitability of the emergency access drives be acceptable to the Boone County Fire District and the Director of Planning. The locations of the central tanks and applicable notes and notations can be amended on a permanent final review plan without the need to resubmit the proposal provided the Fire Marshall and the Director of Planning agree to the clarifications and all notes and comments from the planning department are followed on the revision and are acceptable to the Director of Planning.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 14-2008**

2. Nature's Trail. S27-T49N-R13W. McNeall Family Trust, owner. David T. Butcher, surveyor

Sunny Meadows Block 3. S12-T48N-R14W. Jason and Rebecca Mott Revocable Trust, owner. Timothy J. Reed, surveyor.

Graystone Plat 1 Corrected. S17-T48N-R13W. Thomas D. Hilbert Trust and Angelia H. Hilbert Trust, owners. Jay Gebhardt, surveyor.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby receive and accept the following subdivision plats and authorize the presiding commissioner to sign them:

Nature's Trail. S27-T49N-R13W. McNeall Family Trust, owner. David T. Butcher, surveyor.

Sunny Meadows Block 3. S12-T48N-R14W. Jason and Rebecca Mott Revocable Trust, owner. Timothy J. Reed, surveyor.

Graystone Plat 1 Corrected. S17-T48N-R13W. Thomas D Hilbert Trust and Angelia H. Hilbert Trust, owners. Jay Gebhardt, surveyor.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 15-2008**

Public Works

3. Variance Request for Midway Crossing Development, Plat I & II

Phyllis Stallings, project manager for Midway Crossing Development, stated she would like to leave a berm in place behind the sidewalk line, which is a variation from the Boone County Road Regulations Detail. She stated the City has been doing this and it works very well. She stated this keeps the streets much cleaner because it gives the silt a place to settle before the water moves on.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby accept the Road and Bridge Advisory Committee Recommendation of Variance Request:

For Midway Crossing Development, Plat I & II proposing to leave a berm in place behind the sidewalk line as a pilot project. This is a variation from Boone County Road Regulations Detail 100.02 that requires the right-of-way to drain to the street.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 16-2008**

Purchasing

4. 91-18DEC07 – Fire Extinguisher Inspection and Maintenance Term and Supply (first read on 1/7/08)

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby award bid 91-18DEC07 – Fire Extinguisher Inspection and Maintenance Term and Supply to Missouri Fire Safety & Equipment. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 17-2008**

5. 92-20DEC07 – Lawn Care Maintenance & Seasonal Grounds Services Term & Supply (first read on 1/7/08)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby award bid 92-20DEC07 – Lawn Care Maintenance & Seasonal Grounds Services – Term

and Supply to Columbia Turf, LLC. It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 18-2008**

6. Sole Source Purchase – E911 Equipment Maintenance Agreement (first read on 1/7/08)

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the request to utilize Centurytel as a sole source provider for the maintenance on the E911 Equipment. It is further ordered the Presiding Commissioner is hereby authorized to sign said agreement.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 19-2008**

Miscellaneous

7. Change Order for United HRB – Courthouse Expansion (first reading)

Commissioner Miller stated this is for the temporary partitions. It is over her authorization level, so a commission order is needed to approve it.

Presiding Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

8. Boone County Refrigerator and Microwave Policy (first reading)

Commissioner Miller stated this policy is intended to make sure all the offices are handled the same way with regard to refrigerators and microwaves. Some offices have personal refrigerators and some have County-owned refrigerators, and this policy will ensure that each office is the same as the others.

Presiding Commissioner Pearson stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available commission meeting with an appropriate order for approval.

9. Budget Revision – Increase in Owner’s Cost for Courthouse Expansion (first read on 1/7/08)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the following budget revision for a reallocation of funds for the Courthouse Expansion Project:

Department	Account	Department Name	Account Name	Decrease	Increase
4061	71222	CH Expansion (1/5 cent capital improvement sales tax)	Construction Management General Conditions		\$24,081
4061	71231	CH Expansion (1/5 cent capital improvement sales tax)	Owner’s Cost	\$24,081	

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 20-2008**

10. Request to Use Commission Chambers

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the use of the Commission Chambers on January 29, 2008, from 5:00 p.m. to 7:30 p.m. for a public meeting regarding local stream quality.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 21-2008**

11. Request to Use Courthouse Grounds and Courtyard Square

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the use of the Courthouse Grounds and Courtyard Square on September 13, 2008, from 4:00 p.m. to 9:00 p.m. for Earthdance for Peace.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 22-2008**

12. Commissioner Reports

There were no commissioner reports.

13. Public Comment

There was no public comment.

The meeting adjourned at 7:35 p.m.

Attest:

Wendy S. Noren
Clerk of the County Commission

Ken Pearson
Presiding Commissioner

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner